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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/771,663
		Filing Date	02/04/2004
		First Named Inventor	Hiroaki Hosokawa
		Art Unit	3753
		Examiner Name	Ljiljana V. Ceric
Total Number of Pages in This Submission		Attorney Docket Number	4041J-000837

### ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)        |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                        | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund   | <b>Return Receipt Postcard</b>  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

#### Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.		Attorney Name Michael J. Schmidt	Reg. No. 34,007
Signature				
Date	September 14, 2006			

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Michael J. Schmidt	Express Mail Label No.	EV 757 777 913 US (9/14/2006)
Signature			
Date	September 14, 2006		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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EV 757 777 913 US



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/771,663

Filing Date: 02/04/2004

Applicant: Hiroaki Hosokawa

Group Art Unit: 3753

Examiner: Ljiljana V. Ceric

Title: PIPING STRUCTURE FOR REFRIGERANT CYCLE  
SYSTEM OF VEHICLE

Confirmation No.: 3587

Attorney Docket: 4041J-000837

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Director of The United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed August 14, 2006, Paper No./Mail Date  
20060807, please consider the following.

The Examiner has required restriction to one of the following inventions under 35  
U.S.C. § 121:

- I. Claims 1-5, drawn to a system including an engine, a heater, and a  
heater pipe disposed therebetween, classified in class 165,  
subclass 51.

II. Claims 6-14, drawn to a heater pipe, classified in class 285, subclass 41.

Applicant respectfully traverses this rejection. Upon receiving the restriction requirement, it was noticed that it was identical to the restriction requirement issued for U.S. Patent Application No. 10/755,961. Because of this, Applicant's representative contacted Examiner Cirim on August 17, 2006 to discuss the issue. She apologized for the confusion and indicated that she would void out the restriction requirement and send out a corrected Office Action for the above referenced U.S. patent application. To date we have not received a new Office Action. Therefore, Applicant respectfully traverses this rejection since it is not believed that this restriction requirement belongs in this application.

Applicant has not made an election because it is not possible. The above referenced patent application includes ten claims directed to a piping structure of a refrigerant cycle system and not a heater pipe as listed in the election requirement. This response is being filed to timely respond to the Office Action to avoid any extension of time fees required to resolve this issue.

### CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this

application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 14, 2006  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, MI 48303  
(248) 641-1600

By:   
Michael J. Schmidt  
Reg. No. 34,007

MJS/pmg

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